

Complaint

United States District Court

NORTHERN

DISTRICT OF

CALIFORNIA

FILED

AUG 8 2008

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA
V.

CRIMINAL COMPLAINT

ANGELICA SAGOTE, SEFO SAGOTE, ELISARA TAITO,
and DONNISHA HARRELL

Case Number: 3:0870574 BZ

ORIGINAL SAN FRANCISCO VENUE

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state that the following is true and correct to the best of my knowledge and belief. On or about August 6, 2008 in San Francisco County, in the Northern District of California defendant(s) did,

(Track Statutory Language of Offense)

Count One: armed bank robbery, 18 U.S.C. Sections 2113(a) & (d) (defendants SEFO SAGOTE and ELISARA TAITO)
Count Two: aiding and abetting armed bank robbery, 18 U.S.C. Sections 2 and 2113(a) & (d) (defendant ANGELICA SAGOTE)
Count Three: receipt of money stolen from a credit union, 18 U.S.C. Section 2113(c) (defendant DONNISHA HARRELL),

AS SET FORTH IN "ATTACHMENT TO CRIMINAL COMPLAINT" WHICH IS MADE PART OF THIS COMPLAINT

in violation of Title 18 United States Code, Section(s) 2, 2113(a), 2113(c), and 2113(d).

I further state that I am a(n) Special Agent, Federal Bureau of Investigation and that this complaint is based on the following facts:

Continued on the attached sheet and made a part hereof:

☒ Yes ☐ No

Approved

As To

Form:

AUSA

Special Agent Brian J. Guy

Name/Signature of Complainant

Sworn to before me and subscribed in my presence,

Date

at

City and State

Name & Title of Judicial Officer

Signature of Judicial Officer

ATTACHMENT TO CRIMINAL COMPLAINT

COUNT ONE:

On or about August 6, 2008, in the City and County of San Francisco, in the State and Northern District of California, Elisara Taito and Sefo Sagote, did knowingly and by force, violence, and intimidation, take from an employee of the Pacific Postal Credit Union, 175 Mendell Street, San Francisco, California, approximately \$76,300 in U.S. Currency in the care, custody, control, management and possession of Pacific Postal Credit Union, the deposits of which were and are insured by the National Credit Union Association (NCUA), and in committing the offense, the defendants, Elisara Taito and Sefo Sagote, assaulted and put in jeopardy the lives of employees and customers of the Pacific Postal Credit Union, by use of a dangerous weapon, to wit, a handgun(s), in violation of Title 18, United States Code, Section 2113 (a) & (d).

PENALTIES: 25 years in prison, \$250,000 fine, 5 years supervised release, \$100 Special Assessment, and restitution.

COUNT TWO:

On or about August 6, 2008, in the City and County of San Francisco, in the State and Northern District of California, Angelica Sagote, did aid, abet, and counsel Elisara Taito and Sefo Sagote, who did knowingly and by force, violence, and intimidation, take from an employee of the Pacific Postal Credit Union, 175 Mendell Street, San Francisco, California, approximately \$76,300 in U.S. Currency in the care, custody, control, management and possession of Pacific Postal Credit Union, the deposits of which were and are insured by the National Credit Union Association (NCUA), and in committing the offense, the defendants, Elisara Taito and Sefo Sagote, assaulted and put in jeopardy the lives of employees and customers of the Pacific Postal Credit Union, by use of a dangerous weapon, to wit, a handgun(s), in violation of Title 18, United States Code, Section 2 and 2113 (a) & (d).

PENALTIES: 25 years in prison, \$250,000 fine, 5 years supervised release, \$100 Special Assessment, and restitution.

COUNT THREE:

On or about August 6, 2008, in the City and County of San Francisco, in the State and Northern District of California, Donnisha Harrell, did knowingly receive, possess, and conceal approximately \$32,000, which had been stolen from the Pacific Postal Credit Union, 175 Mendell Street, San Francisco, California, the deposits of which are insured by the National Credit Union Association (NCUA), all in violation of Title 18, United States Code, Section 2113(c).

PENALTIES: Not more than 10 years in prison, \$250,000 fine, 3 years supervised release, \$100 Special Assessment.

STATE AND NORTHERN DISTRICT OF CALIFORNIA)

CITY AND COUNTY OF SAN FRANCISCO)

ss. AFFIDAVIT

I, Brian J. Guy, being duly sworn, depose and state:

1. I am a Special Agent (SA) of the Federal Bureau of Investigation (FBI) and have been employed in that capacity for approximately eighteen (18) years. My primary investigative assignment is the investigation of violent crimes, which includes bank robbery investigations. I have been the bank robbery coordinator for the San Francisco Division of the FBI for approximately eleven (11) years. I have investigated hundreds of bank robberies, reviewed over a thousand bank robbery cases, and viewed over a thousand bank surveillance photographs.

2. This affidavit is submitted in support of a criminal complaint against **Elisara Taito** and **Sefo Sagote** on the grounds that each of them committed a violation of Title 18, United States Code, Section 2113 (a) &(d) - armed bank robbery. The elements of this offense are as follows: (1) the defendants used force, violence, or intimidation; (2) in taking money belonging to a financial institution; (3) the deposits of that financial institution were then insured by the National Credit Union Administration Board (NCUA); (4) and in committing the offense, the defendants assaulted or put in jeopardy the life of any person by use of a dangerous weapon or device.

3. This affidavit is also submitted in support of a criminal complaint against **Angelica Sagote** on the grounds that Sagote did aid, abet and counsel Elisara Taito and Sefo Sagote, who did violate Title 18, United States Code, Section 2113 (a)(d), and that in doing so Angelica Sagote violated Title 18, United States Code, Section 2 and 2113 (a)(d). The elements of aiding and abetting under these circumstances are as follows: 1) an armed bank robbery was committed by somebody; 2) the defendant knowingly and intentionally aided, counseled, commanded, induced or procured that person to commit each element of the armed bank robbery; 3) the defendant acted before the crime was completed.

4. This affidavit is also submitted in support of a criminal complaint against **Donnisha Harrell** on the grounds that Harrell received, possessed, and concealed money stolen from a credit union, knowing the same to have been stolen in violation of Title 18 United States Code, Section 2113 (c). The elements of this offense are as follows: 1) property or money or other things of value were taken from a federally insured bank; 2) the defendant possessed, concealed or disposed of said property or money; and 3) the defendant had knowledge of the stolen character of the property or money at the time he or she possessed, concealed or disposed of it.

5. In connection with my official duties, I have obtained the following information either through my investigation, other FBI Agents, or San Francisco Police Department (SFPD) officers.

6. In connection with my official duties, I have participated in the investigation involving the attempted robbery of the Pacific Postal Credit Union, 175 Mendell Street, San Francisco, California on August 4, 2008 and the robbery of the Pacific Postal Credit Union, 175 Mendell Street, San Francisco, California on August 6, 2008. On both dates, the deposits of the Pacific Postal Credit Union were insured by the National Credit Union Administration Board (NCUA).

7. On August 4, 2008, at approximately 9:05 a.m., two masked armed robbers entered the Pacific Postal Credit Union, 175 Mendell Street, San Francisco, California. A third robber stood outside the Credit Union. The robbers who entered the Credit Union ordered customers and employees down to the floor and said they would start shooting if the tellers did not open the doors. The Pacific Postal Credit Union is protected by a bandit barrier. A bandit barrier is a bullet proof enclosure that protects the entire teller line and office area behind the teller line from robbers. The only way for someone to gain access to the teller line is to be granted access through one of two doors that are locked.

8. After getting the customers on the floor, the robbers tried to open the doors and repeatedly told the tellers behind the bandit barrier to open the door or they would start shooting. One of the robbers said, "Somebody is going to die if you don't open the door!" The tellers had gotten down on the floor and did not open the doors. Before leaving the lobby of the Credit Union, the robbers took two (2) purses belonging to two (2) customers.

9. Robber #1 was described as follows:

Race:	Unknown
Complexion:	Light Skin
Sex:	Male
Height:	5'8 - 5'9
Weight:	200 lbs.
Eyes:	Unknown
Hair:	Unknown
Age:	Mid 20's
Weapon:	Black pistol
Clothing:	Black sweatshirt with hood, black mask, black pants

10. Robber #2 was described as follows:

Race:	Unknown
Sex:	Male
Height:	5'6
Weight:	Unknown
Eyes:	Unknown
Age:	Mid 20's
Weapon:	Black Uzi-style machine gun with a strap
Clothing:	Hooded puffy jacket, black mask, black pants

11. Robber #3 was seen running away from the Credit Union with the other two robbers as they exited through the front doors.

12. Pacific Postal Credit Union did not suffer a loss during the robbery.

13. During the course of the robbery, digital bank surveillance cameras captured images of the robbers.

14. During my investigation at the Credit Union, the manager was interviewed and advised that approximately two (2) weeks ago an employee by the name of Angelica Sagote was terminated over a shortage of approximately \$572 in the bank drawer(s) for which she was responsible. The manager also told me that one of the tellers told her following the robbery that one of the robbers was big like Dante Sagote, who is a cousin of Angelica Sagote. This information was shared and exchanged with SFPD Officers.

15. On August 6, 2008, at approximately 8:11 a.m., two tellers who were victims from the attempted robbery on Monday, August 4, 2008 walked towards the front doors of the Pacific Postal Credit Union to go inside when a blue, newer model 4-door Jeep pulled into the parking lot. Two armed robbers jumped out of the Jeep. Both tellers screamed and tried to run away but were chased down by the robbers and brought back to the front and forced to open the doors. Once inside, the robbers pushed the tellers behind the teller counter and directly to the vault room.

16. Without being told by either of the two tellers which one knew the vault combination, a robber directed his attention directly to the only teller who know the vault combination and instructed her to go to the vault and open it. The robbers directed the other teller to turn off the alarm. The first teller was not able to open the vault on the first couple of attempts. The robbers became very impatient. One of the robbers told the teller attempting to open the vault that if she did not open the vault he would shoot the other teller who was laying face down on the floor.

17. Once the vault was opened, the robbers pushed the teller out of the way, filled an empty card-board box with cash, and departed. The tellers ran towards the front doors and observed the robbers jump in the Jeep and drive South on Mendell Street. One of the tellers said she was 100% positive the robbers were the same people from the attempted robbery on Monday, August 4, 2008. She said the robbers wore identical clothing with sunglasses being the only addition. One of the tellers said at least one of the robbers was Samoan.

18. The tellers described both robbers as follows:

Race:	Brown skinned, but not Black not Mexican; at least one being a Samoan
Sex:	Males
Height:	5'9 - 5'10
Weight:	200 lbs and over

Clothing: Dark hooded jacket, dark pants, all black San Francisco Giants baseball cap with black "SF" logo, black gloves, black sunglasses, black face masks

Weapons: Black pistol and a longer black auto pistol.

19. The tellers described the vehicle used by the robbers as follows:

Color: Blue
Year: Newer
Make: Jeep
Body: 4-door

20. An audit conducted immediately after the robbery determined the Credit Union suffered a loss of \$76,300. The deposits of the Pacific Postal Credit Union, 175 Mendell Street, San Francisco, California are insured by the National Credit Union Administration (NCUA).

21. During the course of the robbery, digital bank surveillance cameras captured some images of the robbers.

22. Following the robbery, the description of the blue Jeep was broadcast by SFPD. An SFPD officer located the Jeep at Candlestick Point State Park. A witness at that location approached the officer and told the officer that three Samoan males dressed in dark clothing exited the jeep and got into a dark colored 4-door compact sedan. The driver of the Jeep got into the driver's side of the sedan while the other two entered the passenger side of the sedan. The front passenger ran while holding a pistol with an extended magazine between his legs. The witness said the SFPD officer arrived within two minutes of the vehicle switch.

23. The Samoan males were described as follows:

Driver

Race: Samoan
Sex: Male
Age: 25-35
Hair: Black with Pony-tail
Clothing: Baggy blue jeans, white shoes, dark jacket

Front Passenger

Race: Samoan
Sex: Male
Age: 25-35
Height: 5'8- 5'9
Weight: 160-180
Hair: Black with Pony-tail

Clothing:	Dark oversized jacket mid-thigh, dark pants
Weapon:	Black pistol with an extended magazine between legs

Rear Passenger

Race:	Samoan
Sex:	Male
Age:	25-35
Height:	5'8-5'9
Weight:	180, larger
Hair:	Black with Pony-tail
Clothing:	Dark oversized jacket to mid-thigh, dark pants.

24. After locating the Jeep and broadcasting the description of the black sedan, SFPD Officers began searching the areas associated with the former teller, Angelica Sagote. Sagote has a 4-door black Chevy Cobalt registered to her, California license 5YHE890. Approximately seven (7) minutes after broadcasting the description of the black sedan, Sagote's vehicle was found parked in front of 7 Double Rock Street, San Francisco, California by SFPD Officer Hernandez. Hernandez noticed that the hood of the car was warm, indicating it had been recently driven. A perimeter was immediately established around the apartment complex.

25. During this, the tellers from the Credit Union were brought to the location of the Jeep and positively identified it as the vehicle used by the robbers.

26. The witness who saw the three Samoan males get into the black sedan was brought to 7 Double Rock Street and told officers the vehicle, which is Angelica Sagote's vehicle, was similar to the one he saw but he couldn't be sure.

27. While in the rear of 9 Double Rock, Officer Dalton and Traw observed two individuals later identified as Witness Number One and Sefo Sagote exit the rear of 9 Double Rock. Witness Number One and Sefo Sagote were detained. Officer Lamma, who works in the Double Rock area is familiar with Sefo Sagote and knows that Sefo Sagote is on parole. Another individual, later identified as Elisara Taito exited the rear of 9 Double Rock. Taito was later detained. A fourth individual, later identified as Donnisha Harrell, also exited the rear of 9 Double Rock accompanied by five (5) children. Harrell held a diaper bag and an orange back pack. All the parties were asked to stop and remain in the area. An officer had observed Harrell arrive at approximately 9:30 a.m. and go into 9 Double Rock before coming back outside. Harrell did not have the orange backpack with her before she entered 9 Double Rock.

28. I briefly spoke to Sefo Sagote and identified myself to him. Sefo Sagote told me that his wife was Donnisha Harrell, who was in the rear of building. I asked Sefo Sagote the identity of the individual in the white t-shirt at the far end of the complex and Sefo Sagote told me the person was his cousin, who showed up at the apartment around 8 a.m. I asked for his name and Sefo Sagote said he didn't know his name. Sefo Sagote said he let him into the apartment. In addition to speaking to Sefo Sagote, I also learned that Sefo Sagote had spoken to SFPD Officers

earlier regarding the black Chevy Cobalt, California license 5YHE890, which was parked in front. I was told that Sefo Sagote told the officers that the people who drive the car go in to 7 Double Rock.

29. Based upon the belief that evidence and further suspects could possibly still be inside 9 Double Rock, along with the fact that Sefo Sagote was an active parole and had a search condition, 9 Double Rock was entered by SFPD Officers and myself at approximately 9:42 a.m. Found upstairs in the front bedroom in bed was Angelica Sagote. Upon returning downstairs I asked Sefo Sagote if he knew Angelica Sagote was in his apartment. Sefo Sagote said he didn't know she was there.

30. While moving to enter 9 Double Rock, SFPD Officer Jackson searched Harrell's diaper bag which she had in her right hand and an orange backpack which she had on her left shoulder. Upon searching the orange backpack, Officer Jackson found a large sum of U.S. Currency. A brief audit determined the bag contained approximately \$32,000. The money was in various denominations, with some loose and some banded bills. Money stolen from the Pacific Postal Credit Union had also been banded. Harrell told Officer Jackson that the money was from a tax refund. Further investigation indicted that Harrell is currently employed at a café.

31. A search of 9 Double Rock was conducted. Found in the living room closet was a black plastic BB Gun pistol and a black 3/4 length leather jacket. A black San Francisco Giants Baseball Cap with the logo "SF" was found on a dresser in the front bedroom.

32. Based upon this information, Sefo Sagote, Elisara Taito, Angelica Sagote, Donnisha Harrell, and Witness Number One were taken into custody and transported to the Bayview Police Station to be interviewed.

33. Prior to interviewing Harrell, Harrell was advised of her Miranda rights. Harrell invoked her rights and requested an attorney.

34. Prior to interviewing Witness Number One, he was advised of his Miranda rights. Witness Number One waived his rights and agreed to be interviewed. Witness Number One said Sefo Sagote came to his house and got him around 8 or 9 or 10 a.m. and asked him to climb through a window of 9 Double Rock because Sefo Sagote had forgotten his key. He crawled in through the bathroom window and then went back downstairs to the back door to let Sefo Sagote in. When he opened the back door Sefo Sagote was not there. He went to the front door and opened it and "J" (Elisara Taito), Angelica, and Sefo all came into the apartment. J was carrying a box. and put it down on the table in the living room. The box contained money and had a black car mat over it. J, Angelica and Sefo then started counting the money that was in the box. He said the cops came to the front door and Sefo told the cops something to divert them away from the apartment. Sefo told Angelica and J to put the money in the orange backpack. He and Sefo walked out the back of the apartment, and he was stopped by the police. He saw Sefo talking to the police. He heard Sefo call D (Donnisha Harrell) and told her to come to the house immediately.

35. Prior to interviewing Angelica Sagote, Sagote was advised of her Miranda rights. Sagote waived her rights and agreed to be interviewed. Sagote said this was the first time she knew anything about the Pacific Postal Credit Union being robbed. Sagote doesn't know anything about the robbery. Sagote said she spent the night at the apartment last night. Sagote took her cousin, Dante Sagote, home to Daly City and then returned to the apartment to play video games. Sagote said Sefo, her, and a bunch of little kids played video games before she fell asleep on the couch in the living room. In the morning, after Donnisha left for work, Sagote got up and went upstairs to the front bedroom and got in bed. Sefo Sagote was not in the bed. Sagote did not see J at the apartment. J is a distant cousin of hers. Sefo Sagote is her uncle. Sagote said she drives a black Chevy Cobalt. Only her and her mom have a key. Sagote said Sefo and J do not drive her car. On Monday, August 4, 2008, Sagote said she was with Auntie D (Donnisha Harrell) at her job on 16th Street. Sagote could not provide a time when she got there but knows she left at 3:00 p.m. Sagote did not know someone tried to rob the Credit Union on Monday.

36. Prior to interviewing Sefo Sagote, Sagote was advised of his Miranda rights. Sagote invoked his rights and requested an attorney.

37. Prior to interviewing Elisara Taito, a.k.a. J, Taito was advised of his Miranda rights. Taito waived his rights and agreed to be interviewed. Taito advised Sefo is his cousin. Taito stayed at the apartment last night. He arrived around 12:00 midnight. Taito had walked up from 3rd Street and taking the bus. Taito hung out and played video games. Taito said he was smoking weed and can't remember who was there but some kids were at the apartment. Taito doesn't know if Angelica was there because he was too high. Taito said he slept on the couch. At that time I asked Taito if he slept with anyone on the couch. Taito immediately said he did not want to answer any more questions. The interview was stopped.

38. During the interviews of the above individuals, a person identified as Jillian Wilson showed up at the Bayview Police Station inquiring about her vehicle, the blue Jeep, which was used in the robbery. Wilson told officers the Jeep is registered to her but her boyfriend, Elisara Taito, uses the car and that she rarely uses it.

39. A search of the blue Jeep used during the robbery was conducted. Found inside the Jeep were two pair of sunglasses, a black hooded sweatshirt, a replica MP5 Sub-machine gun air gun, a replica Beretta air gun pistol, and a loaded Taurus .357 Magnum revolver with a hammer strike on one the cartridges. The guns were found in a black back pack in the back of the jeep.

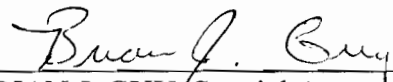
40. Elisara Taito is a Samoan male, date of birth Xxxx xx, 1982, 6'1, 240 pounds, black hair, brown eyes, FBI #230925JB4.

41. Sefo Sagote is a Samoan male, date of birth Xxxx xx, 1981, 5'11, 220 pounds, black hair, brown eyes, FBI# 446980EB6.

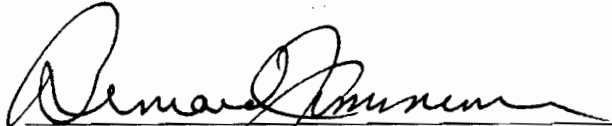
42. Angelica Sagote is a Samoan female, date of birth Xxxx xx, 1988, 5'6, 140 pounds, black hair, brown eyes, FBI #201335WC2.

43. Donnisha Harrell is a black female, date of birth XXXX XX, 1984, 5'2, 120 pounds, black hair, brown eyes, FBI #397404JB9.

44. Based upon the above information, there is probable cause to believe that Elisara Taito and Sefo Sagote committed the offenses set forth in the Attachment to Criminal Complaint, armed bank robbery; and that there is probable cause to believe that Angelica Sagote committed the offenses set forth in the Attachment to Criminal Complaint, armed bank robbery, and aiding and abetting in the commission of armed bank robbery; and that there is probable cause to believe that Donnisha Harrell committed the offense set forth in the Attachment to Criminal Complaint, receiving, possessing, and concealing money stolen from a credit union.


BRIAN J. GUY, Special Agent
Federal Bureau of Investigation

SWORN AND SUBSCRIBED TO BEFORE ME
THIS 8 DAY OF AUGUST 2008


HON. BERNARD ZIMMERMAN
United States Magistrate Judge